

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRANDON TRANSUE,)	
)	
Plaintiff,)	
)	
v.)	NO. 3:09-0315
)	Judge Campbell/Brown
RICHARD CAFFERY, et al.,)	
)	
Defendants.)	

O R D E R

The plaintiff in this matter has filed a motion for a transcript of a previous criminal trial. This motion is **DENIED**. As an initial matter, the Magistrate Judge would note that the plaintiff does not certify that he sent a copy of the motion to opposing counsel. Regardless of the failure to provide opposing counsel notice of the motion, this is a civil case and while the plaintiff has been allowed to proceed in forma pauperis this does not allow the Court to order government funds to be used to pay for transcripts of an earlier criminal trial. The case cited by the plaintiff, State v. Elliott, 524 S.W.2d 473 (Tenn. 1975) pertains to criminal cases, not civil cases.

Additionally, even if there was a provision for payment of such fees the Magistrate Judge does not believe that a request for juvenile and mental health records would be particularly relevant to this case which involves allegations that the plaintiff was assaulted by guards.

It is so **ORDERED**.

s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge